

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 14 2005

Application of: Paul A. Furze *et al.*

Application Serial No.: 10/826,451

Group Art Unit: 2882

Filed: April 16, 2004

Examiner: Craig E. Church

For: GOLF BALL INSPECTION USING METAL MARKERS Attorney Docket No. B04-21

TERMINAL DISCLAIMERCommissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Petitioner, Troy R. Lester, represents that he is the Assistant Secretary and Chief Patent Counsel for Acushnet Company, the assignee of the entire right, title and interest in and to the instant application by virtue of an assignment from Paul A. Furze to the Acushnet Company recorded at reel 015230 and frame 0645.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,757,353 ("prior patent"), as such term is defined in 35 U.S.C. 154 and 173 and presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. Petitioner further agrees that this agreement is to run with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of the prior patent is presently shortened by any terminal disclaimer," in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of

competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Statement under 37 CFR 3.73(b) is submitted herewith.

Please charge the terminal disclaimer fee under 37 CFR 1.20(d) to the Acushnet Company Deposit Account No. 502309.

Respectfully submitted,



Troy R. Lester (Reg. No. 36,200)  
(508) 979-3534

2-14-05  
Date


Customer Number: 40990

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FEB 14 2005

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).		<b>Complete If Known</b>	
<h2 align="center">FEE TRANSMITTAL</h2> <h3 align="center">For FY 2005</h3>		Application Number	10/826,451
		Filing Date	April 16, 2004
		First Named Inventor	Paul A. Furze
		Examiner Name	Craig E. Church
		Art Unit	2882
TOTAL AMOUNT OF PAYMENT	(S) 130.00	Attorney Docket No.	B04-21

<b>METHOD OF PAYMENT</b>				
<input checked="" type="checkbox"/> <b>Deposit Account</b> Deposit Account Number: <u>502309</u> Deposit Account Name: <u>Acushnet Company</u> For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		
<b>FEE CALCULATION</b>				
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>				
<b>Application Type</b>	<b>Filing Fee (\$)</b>	<b>Search Fee (\$)</b>	<b>Examination Fee (\$)</b>	<b>Fees Paid (\$)</b>
<input type="checkbox"/> Utility	300	500	200	
<input type="checkbox"/> Design	200	100	130	
<input type="checkbox"/> Reissue	300	500	600	
<input type="checkbox"/> Provisional	200	0	0	
<b>2. EXCESS CLAIM FEES</b>				
<b>Fee Description</b>				<b>Fee (\$)</b>
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent				50
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent				200
<b>Total Claims</b>	<b>Paid TC</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
-	=	0	50	0
Paid TC = the greater of 20 or highest number of total claims paid for				
<b>Independent Claims</b>	<b>Paid IC</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
-	=	0	200	0
Paid IC = the greater of 3 or highest number of independent claims paid for				
<b>3. APPLICATION SIZE FEE</b>				
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
<b>Total Sheets</b>	<b>Extra Sheets</b>	(round up to integer)	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =		/ 50 =	250	
<b>4. OTHER FEES</b>				
Statutory Disclaimer \$130				<b>Fee Paid (\$)</b>
				130
Other:				

<b>SUBMITTED BY</b>			
Signature		Registration No. 36,200	Telephone (508) 979-3540
Name	Troy R. Lester	Date	2-14-05